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MEMORANDUM FOR: Assistant for Information, DDA

SUBJECT : Comments Regarding H.R. 968

REFERENCE : Memorandum from Assistant for Information,
dated 14 May 1975, Same Subject

1. Pursuant to your request, the Office of Security has reviewed H.R. 968 and the Office of Legislative Counsel's proposed draft concerning the bill.

2. There are some essential differences in handling certain categories of information as proposed in H.R. 968 in comparison to Executive Order 11652. The Director of the National Resource Information Bureau under H.R. 968 would place information in the Confidential or Secret Libraries based on the norm that the information would directly and adversely affect the military and naval defenses of the United States against enemies, actual or potential. Unmentioned in the bill but very much a part of the coverage in Executive Order 11652 is material which would affect "conduct of our foreign relations" and those certain categories of information, including information on sources and methods, exempted from a general declassification schedule. Under H.R. 968, such information need not necessarily be placed in the Secret Library or Confidential Library.

3. There is Office of Security reservation concerning the proposed means for the maintenance of the material in the Secret and Confidential Libraries. No attention is given to segregating information derived from sensitive compartmented information programs. Such information, very much restricted in dissemination within the Intelligence Community, is afforded no special protection under the bill.

4. The 25-year age norm for removal of information from the Secret and Confidential Libraries as proposed in Section 208(e) could be adequate, but this could only be established on a case by case basis which could involve a hearing before the Director of the National Resource Information Bureau.

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5. For the above reasons, the Office of Security believes that the OLC comments relating to the protection of classified information are appropriate, and the Office of Security therefore concurs in the proposed response of OLC.

STATINTL



Charles W. Kane
Director of Security